

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
APR 30 2025	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY _____

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Frederick Cody

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Quail Construction LLC
AND

Helix Traffic Solutions LLC

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

CV25-01453-PHX-KML

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Frederick Cody

Street Address

11010 S 51st St #50033

City and County

Phoenix, Maricopa County

State and Zip Code

AZ 85044

Telephone Number

216-213-2079

E-mail Address

freddy.cody153@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Helix Traffic Solutions, LLC

5555 E. VAN BUREN ST #240

Phoenix, Maricopa County

AZ, 85008

602 809 3993

hnl @ quail corp. com

Defendant No. 2

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Quail Construction LLC

2818 E Illinois St

Phoenix, Maricopa County

AZ 85040

602 675 1256

mhall @ quail corp. com

Defendant No. 3

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Defendant No. 4

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e) - Prohibits employment discrimination based on race, color, religion, sex and national origin.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Fredrick Osoy, is a citizen of the State of (name) Arizona.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Helix Traffic Solutions, LLC, is incorporated under the laws of the State of (name) AZ, and has its principal place of business in the State of (name) AZ.
 Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

The amount of controversy is more than \$75,000 because plaintiff seeks compensatory damages, back pay, front pay, emotional distress damages, housing loss, and punitive damages. Resulting from racial discrimination, retaliation and constructive discharge.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Between May 2024 and January 2025, I experienced repeated racial harassment, discrimination, and retaliation while working at Helix and Quail Construction. I reported offensive racial comments and unequal treatment to HR, which was ignored. I was forced to wear safety gear that white and other white Hispanic employees were allowed to ignore.

See Attachment Please.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am requesting \$10,000,000 in total damages. This includes back pay, front pay, emotional distress damages, punitive damages, and compensation for losing my housing and employment stability. I also request injunctive relief requiring Helix and Quail to implement anti-discrimination training and monitoring.

THE defendants

Quail Construction LLC, is incorporated under AZ, and has its Principal place of business in the State of AZ.

III.

Statement of Claim

Between May 2024 and January 2025, I experienced Repeated racial harassment, discrimination, and retaliation while working at HeliX and Quail Construction. I reported offensive racial comments and unequal treatment to HR, which was ignored. I was forced to wear safety gear that other white or Hispanic employees were allowed to ignore. When I complained, I was retaliated against through shift changes, increased scrutiny, and ultimately forced to leave my job. THE EEOC found sufficient merit to issue a right to sue. I was hospitalized for stress and loss of my apartment due to income loss caused by the hostile work environment.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.


A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 4-30-2025

Signature of Plaintiff

Printed Name of Plaintiff


Frederick Cody

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Tuesday, April 29, 2025

Court Filing Cover Letter

Freddrick Cody 11010 S 51st Street #50033
Phoenix, AZ 85044
Freddrick Cody
216-213-2029

02-29-2025

U.S. District Court - District of Arizona
Clerk of the Court
401 W Washington St
Phoenix, AZ 85003

RE: Filing of Civil Complaint and Associated Documents

Case: Freddrick Cody v. Helix Traffic Solutions, LLC and Quail Construction

To the Clerk of the Court,

Enclosed for filing, please find the following documents in connection with my employment discrimination case:

- 2 Civil Complaint and Jury Demand

- Request for Electronic Noticing
- Motion to Proceed In Forma Pauperis
- Civil Cover Sheet (JS-44 Form)
- EEOC Notice of Right to Sue Letter

I respectfully request that the enclosed Motion to Proceed In Forma Pauperis be filed concurrently with my Complaint. If granted, I ask that service be issued accordingly.

Please return a file-stamped copy of the Complaint to me for my records. Should any further information or corrections be needed, I am available at the contact information listed above.

Thank you for your assistance.

Respectfully,
Freddrick Cody

Tuesday, April 29, 2025

**Complaint for Violation of Title VII of the Civil
Rights Act of 1964**
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Freddrick Cody, Plaintiff,

v.

Helix Traffic Solutions, LLC; Quail Construction, Defendants.

Case No.: [To be assigned]

JURY TRIAL DEMANDED

I. PARTIES

1. Plaintiff Freddrick Cody is an individual who resides in Maricopa County, Arizona.
2. Defendant Helix Traffic Solutions, LLC is a business entity licensed and operating in the State of Arizona.
3. Defendant Quail Construction is a subsidiary of Helix, also licensed and operating in Arizona.
4. At all times relevant, Defendants employed 15 or more employees and were subject to Title VII of the Civil Rights Act of 1964.

II. JURISDICTION AND VENUE

5. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 and 42 U.S.C. § 2000e-5(f).
6. Venue is proper under 28 U.S.C. § 1391 because the acts complained of occurred in Arizona.

III. FACTUAL ALLEGATIONS

7. Plaintiff was employed by Defendants from approximately [May 9, 2024] to [January 31, 2025].

8. Plaintiff faced repeated racial harassment and discriminatory treatment.

9. On May 16, 2024, coworker Cavon made racially offensive remarks.

10. On October 21, 2024, supervisor Hugo falsely accused Plaintiff of equipment damage.

11. In January 2025, supervisor Thomas made racially insensitive remarks and mocked Plaintiff.

12. Plaintiff's complaints to HR were ignored.

13. Plaintiff faced retaliation including schedule changes and increased hostility.

14. Plaintiff required counseling and was hospitalized due to a panic attack.

15. Plaintiff was forced to resign due to intolerable conditions.

16. EEOC has issued a Notice of Right to Sue.

IV. CAUSES OF ACTION

COUNT I – Racial Discrimination (Title VII, 42 U.S.C. § 2000e-2)

17. Defendants discriminated against Plaintiff because of his race.

COUNT II – Retaliation (Title VII, 42 U.S.C. § 2000e-3)

18. Plaintiff reported discrimination and was retaliated against.

COUNT III – Constructive Discharge

19. Conditions were so intolerable that Plaintiff was forced to resign.

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment against Defendants and award:

- a. Compensatory damages in excess of \$5,000,000;
- b. Punitive damages in excess of \$5,000,000;
- c. Back pay and front pay;
- d. Interest, attorney's fees, and costs;
- e. Additional relief as deemed proper by the Court.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.
Respectfully submitted,

Freddrick Cody

Date: 4-30-2025

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff respectfully moves to proceed in forma pauperis under 28 U.S.C. § 1915, and states:

1. Plaintiff cannot pay the filing fee.
2. Plaintiff ^{was} unemployed due to the unlawful acts of Defendants.
3. Plaintiff's expenses exceed his income.
4. Attached is the affidavit of financial status (Form AO-240).

WHEREFORE, Plaintiff requests leave to proceed without payment of fees.

Respectfully submitted,

Freddrick Cody

Date: 4-30-2025

-



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Phoenix District Office
3300 North Central Avenue, Suite 690
Phoenix, AZ 85012
(602) 661-0002
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/26/2025

To: Freddrick Cody
11010 S 51st Street #50033
Phoenix, AZ 85044

Charge No: 540-2025-02506

EEOC Representative and email: Jeremy Yubeta
Enforcement Manager
jeremy.yubeta@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 540-2025-02506.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Melinda Caraballo", is written over a horizontal line.

Melinda Caraballo
District Director



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Phoenix District Office
3300 North Central Avenue, Suite 690
Phoenix, AZ 85012
(602) 661-0002
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/27/2025

To: Freddrick Cody
11221 S. 51st Street #1055
Phoenix, AZ 85044

Charge No: 540-2025-02666

EEOC Representative and email: Jeremy Yubeta
Enforcement Manager
jeremy.yubeta@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 540-2025-02666.

On behalf of the Commission,



Melinda Caraballo
District Director